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Entered on Docket  
May 07, 2010

*Bruce A. Markell*

Hon. Bruce A. Markell  
United States Bankruptcy Judge

WILDE & ASSOCIATES  
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Nevada Bar No. 004417  
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Wells Fargo Bank, N.A.  
09-74575

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Robert G. Kohoutek

Debtor.

BK-S-08-19569-bam

MS Motion No.

Date:

Time:

Chapter 13

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-petition arrearages currently due as follows:

4 Monthly Payments(s) at \$1,653.02 (January 1, 2010 - April 1, 2010)	\$6,612.08
4 Late Charge(s) at \$64.76 (January 1, 2010 - April 1, 2010)	\$259.04
Property Inspections	\$44.21
Motion for Relief Filing Fee	\$150.00
Attorneys Fees	\$750.00
Suspense Amount	(\$491.40)
Total	\$7,323.93

The total arrearage shall be paid in six monthly installments. Payments one through five (1-5) in the amount of \$1,220.66 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the April 20, 2010 payment and continuing throughout and concluding on or before September 20, 2010. The sixth final payment in the amount of \$1,220.63 shall be paid on or before August 20, 2010.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtor at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the May 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 4366 Silver Bay Street, Las Vegas, NV 89147, and legally described as follows:

Lot 288 in Block "A" of Cimarron Maadows Unit 8, as shown by map thereof on file in Book 74 of Plats, Page 43, and by Certificate of Amendment recorded October 17, 1996 in Book 961017 as Document No. 01353, in the Office of the County Recorder of Clark County, Nevada.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon

any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency.  
then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured  
Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the  
subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete  
possession thereof.

Submitted by:

WILDE & ASSOCIATES

By

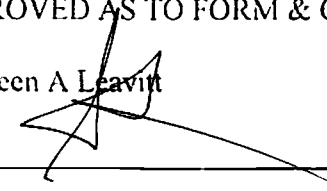
  
GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor  
212 South Jones Boulevard  
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

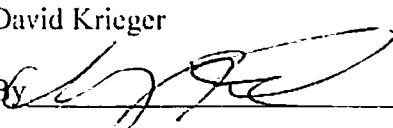
Kathleen A Leavitt

By

  
Kathleen A Leavitt  
Chapter 13 Trustee  
201 Las Vegas Blvd., So. #200  
Las Vegas, NV 89101

David Krieger

By

  
David Krieger  
Attorney for Debtors  
1020 Garces Ave.  
Las Vegas, NV 89101  
*Michael J. Dale*

Nevada Bar No. 9353

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor